

DONNA H. CARVALHO
Senior Counsel
Legal Compliance, Environmental & Regulatory

PHILLIPS 66 Company
 2331 CityWest Boulevard
 Houston, Texas 77042
 Phone: (832) 765-1214
 Email: Donna.H.Carvalho@p66.com



March 9, 2020

Via UPS Overnight Mail

Chief
 Environmental Enforcement Section
 Environment and Natural Resources Division
 United States Department of Justice
 ATTN: Thomas Carroll
 150 M Street NE, Room 5.113
 Washington, DC 2004-7611

Chief, Environmental Bureau
 Illinois Attorney General's Office
 500 South Second Street
 Springfield, IL 62706

Maureen Wozniak, Counsel
 Illinois EPA
 1021 N. Grand Ave. East
 P.O. Box 19276
 Springfield, IL 62794-9276

Compliance Tracker (AE-17J)
 Air Compliance and Compliance
 Assurance Branch
 U.S. EPA Region 5
 77 W. Jackson Blvd
 Chicago, Illinois 60604

Manager,
 Compliance and Enforcement Section
 Illinois EPA
 1021 N. Grand Ave. East
 P.O. Box 19276
 Springfield, IL 62794-9276

RE: Force Majeure Notifications
Pursuant to Paragraph 129 of Civil Action No. 3:18-cv-01484-SMY-GCS
Phillips 66 Company – Wood River Refinery

Dear Ladies and Gentlemen:

On February 27th, the U.S. Centers for Disease Control and Prevention (CDC) announced the first known community spread case of the novel coronavirus COVID-19 within the United States (U.S). Since then approximately 150 other cases have been identified within the U.S. (See <https://www.cnn.com/2020/02/27/health/us-cases-coronavirus-community-transmission/index.html>¹ and <https://www.cdc.gov/coronavirus/2019-ncov/cases-in-us.html>.) Phillips 66 Company is conducting pandemic planning and continues to monitor the situation. Ultimately, the transmission and spread of the virus could impact the Company's performance with the requirements of the above-referenced Consent Decree. No known impact has occurred yet.

¹ Updated 6:15 AM ET, Fri February 28, 2020

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Paragraph 129 of the above referenced Consent Decree (Civil Action **3.18-cv-01484-SMY-GCS**) requires Phillips 66 to notify the United States and Illinois, within twenty business days of any event which it knows or should have known could result in a delay or impediment to complying with the Consent Decree.

Based on this requirement Phillips 66 Company is now submitting this force majeure notice. As noted above, there is no known current impact. However, the facility can foresee potential issues if the Wood River Refinery's or its contractors' workforce is directly impacted. Planning to prevent and mitigate these potential issues is ongoing.

Potential Delays

Although no delays have occurred yet, one or more of the following delays/impediments could occur depending upon whether and to what extent the Phillips 66 workforce, including that of its contractors, is impacted by the coronavirus (e.g., by infection, quarantine, family emergency, etc.):

- Emissions and waste gas cap compliance related to idling or shutting down and restarting units due to limited onsite personnel or other supply or customer disruptions;
- Emissions due to parts supply interruptions;
- Delays in stack testing due to stack tester unavailability, limited onsite personnel, or not operating in a mode appropriate for stack testing due to personnel, supply or related disruptions;
- Delays in Leak Detection and Repair or Benzene Waste NESHAPS monitoring including fence line monitoring due to contractor unavailability, site access limitations or limited onsite personnel;
- CEMS repairs, calibration or checks due to unavailability of calibration gas supply, limited onsite personnel, contractor unavailability, not operating in a mode appropriate for calibration or testing, or other personnel, supply, or related disruptions; and
- Disruptions in laboratory analysis due to limited onsite personnel or other supply or customer disruptions.

This list is not intended to be all inclusive. It does contain the items that Phillips 66 has pre-identified thus far.

Length of Time Delay May Persist

No delay or impediment currently exists. The Company is continuously monitoring the situation and conducting pandemic planning, which includes planning for operating with a reduced workforce and raw material disruptions, if required. If the Wood River Refinery is actually affected, this notice will be updated with more specific information.

The Cause of the Delay or Impediment

The cause of the delay or impediment is the ongoing transmission and quick spread of the COVID-19 virus. More information on this virus can be found on the CDC's website at <https://www.cdc.gov/coronavirus/2019-ncov/cases-in-us.html>. The first community spread case was identified on February 27th. (See <https://www.cnn.com/2020/02/27/health/us-cases-coronavirus->

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[community-transmission/index.html²](#).) As the virus continues to be transmitted, it is possible that the Billings Refinery may have workers or contractors out sick or to care for sick family members and/or that the Company will implement additional social distancing measures.

Schedule for and Measures Taken by Phillips 66 to Prevent/Minimize the Delay

Phillips 66 is taking a variety of measures on both a corporate and site-specific level to limit transmission and spread of the virus and its potential impact on Consent Decree compliance. Among these are:

- Continuous monitoring of virus transmission and spread;
- Drills involving working with limited onsite employees;
- Drills involving working remotely;
- Development of company isolation/work-at-home policies;
- Out of office backup plans for key employees;
- Restrictions on business travel.

Please do not hesitate to contact me at the number noted above if you have any questions. This notice will be updated if needed.

Respectfully submitted,

Donna H. Carvalho

cc: r5ardreporting@epa.gov
Loukeris.constantinos@epa.gov
Gehrig.greg@epa.gov
Wagner.william@epa.gov
Mcauliffe.mary@epa.gov
aarmstrong@atg.state.il.us
rcallery@atg.state.il.us
Maureen.Wozniak@Illinois.gov

Cc: Tim E. Goedecker, Environmental Manager HSE Refining
 Dean Maniatis, Refining HSE Manager
 Deputy General Counsel, Legal Compliance, Environmental & Regulatory
 Refinery Manager, WRB Refining LP, Wood River Refinery

² Updated 6:15 AM ET, Fri February 28, 2020